

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 98-3623

Foremost Insurance Group,

Appellee,

v.

Randy Gene Lloyd; Randall Clay
Lloyd, a Minor, by and through his
Natural Guardian, Randy Gene Lloyd,

Defendants,

April Gardner, a Minor, by and through
her Natural Guardian, Billy Gardner;
Estate of Barbara Gardner, Deceased,

Appellants.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: June 18, 1999

Filed: July 1, 1999

Before WOLLMAN, Chief Judge, RICHARD S. ARNOLD, and BEAM, Circuit
Judges.

PER CURIAM.

April Gardner (through her guardian) and the Estate of Barbara Gardner appeal
from the entry of judgment for Foremost Insurance Group in its declaratory judgment

action against appellants and others. For reversal, appellants argue the district court¹ erred in concluding that the suit involved a sufficient amount in controversy to support federal diversity jurisdiction pursuant to 28 U.S.C. § 1332.

Upon de novo review, see General Elec. Capital Corp. v. Grossman, 991 F.2d 1376, 1380 (8th Cir. 1993), we agree with the district court that it does not appear to a legal certainty that less than the jurisdictional amount was in controversy, see Missouri v. Western Sur. Co., 51 F.3d 170, 173 (8th Cir. 1995).

Accordingly, we affirm the judgment of the district court.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Elsijane T. Roy, United States District Judge for the Eastern District of Arkansas.